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EXAMINER	
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ART UNIT	**PAPER NUMBER**
2682	

DATE MAILED: 12/02/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	09/980,114	DANIEL ET AL.	
	Examiner	Art Unit	
	Raymond B. Persino	2682	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☐ Responsive to communication(s) filed on _____.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-55* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☒ Claim(s) *52-55* is/are allowed.

6)☒ Claim(s) *1-3 and 6-51* is/are rejected.

7)☐ Claim(s) *4 and 5* is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on *3/4/2002* is/are: a)☒ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☒ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☒ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date *3/21/2002*.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 1-3, 6-8, 11, 13, 14 and 48-50 are rejected under 35 U.S.C. 102(b) as being anticipated by LIETSALMI et al (WO 98/10604 A1).

Regarding claim 1, 11, 13 and 14 LIETSALMI et al discloses a cellular telecommunications network including a plurality of individually addressable Base Transceiver Stations (BTSS) providing bidirectional signal coverage over a predefined geographical area capable of transmitting Point-To-Multipoint (PTMP) messages over a Point-To-Multipoint Service (PTMPS) functionality and capable of transmitting Point-To-point (PTP) messages, a method for operating the cellular telecommunications network comprising the step of transmitting a cellular broadcasting service consisting of a substantially continuous stream (see page 3 line 2) of mostly different content, at least some interactive display messages for streaming display on at least one enabled personal cellular telecommunications devices where each interactive display message enables a subscriber to automatically activate a point-to-point transmission response mechanism integrally provided in a display message and actuable by a dedicated response means associated therewith (page 2 line 9 to page 3 line 6, page 4 lines 27-

32, page 5 line 25 to page 6 line 5, page 6 lines 21-26, page 7 lines 1-5, page 11 lines 14-37, page 12 lines 19-25, page 13 line 10 to page 14 line 10 and page 15 line 6 to page 16 line 16).

Regarding claims 2-3, see the rejection of the parent claim concerning the subject matter this claim depends from. LIETSALMI et al further discloses that the broadcasted SMS messages in the BCCH able to have different cycles (page 3 line 24 to page 4 line 11). Specifically having the message rate be between 5 seconds and about 2 or 5 minutes is a system preference and thus is within LIETSALMI et al's teaching.

Regarding claim 6, see the rejection of the parent claim concerning the subject matter this claim depends from. LIETSALMI et al further discloses that a display message enables a subscriber to automatically activate one of at least two point-to-point transmission response mechanisms from the list of: a voice call; an SMS; a data session; e-mail; and a facsimile transmission where each response mechanism is integrally provided in a display message and actuable by a dedicated response means: associated therewith (page 11 lines 14-37, page 12 lines 19-25, page 13 line 10 to page 14 line 10 and page 15 line 6 to page 16 line 16).

Regarding claim 7, see the rejection of the parent claim concerning the subject matter this claim depends from. LIETSALMI et al further discloses that at least two response mechanisms are displayed on a personal cellular telecommunications device in response to subscriber activation of a dedicated response means integrally provided in a display message (page 15 line 21 to page 16 line 16). LIETSALMI et al teaches

that a single message includes "one or more" service offerings. Thus, when more than one service option is displayed with is corresponding response mechanisms there is will more than one response mechanisms displayed.

Regarding claim 8, see the rejection of the parent claim concerning the subject matter this claim depends from. LIETSALMI et al further discloses simultaneously transmitting at least two streams of different content display messages, and further comprising the step of providing a programming channel allocation scheme for determining the stream of display messages to be transmitted at each BTS (see page 3 line 10 to page 4 line 32).

Regarding claim 48, LIETSALMI et al discloses a cellular telecommunications network including a plurality of Base Transceiver Stations (BTSS) including a plurality of individually addressable Base Transceiver Stations (BTSS) providing bi-directional signal coverage over a predefined geographical area, a display message for display on the display screen of a personal cellular telecommunications device, the display message comprising at least two integrally formed point-to-point transmission response mechanisms from the list of: a voice call; an SMS; a data session; e- mail; and a facsimile transmission, and each having a dedicated response means associated therewith whereby a subscriber is capable of automatically activating one of the at least two point-to-point transmission response mechanisms (page 2 line 9 to page 3 line 6, page 4 lines 27-32, page 5 line 25 to page 6 line 5, page 6 lines 21-26, page 7 lines 1-5, page 11 lines 14-37, page 12 lines 19-25, page 13 line 10 to page 14 line 10 and page 15 line 6 to page 16 line 16).

Regarding claim 49, see the rejection of the parent claim concerning the subject matter this claim depends from. LIETSALMI et al further discloses that the at least two point-to-point transmission response mechanisms are displayed on the display screen in response to subscriber activation of a dedicated response means integrally provided in the display message (page 15 line 21 to page 16 line 16). LIETSALMI et al teaches that a single message includes "one or more" service offerings. Thus, when more than one service option is displayed with is corresponding response mechanisms there is will more than one response mechanisms displayed.

Regarding claim 50, see the rejection of the parent claim concerning the subject matter this claim depends from. LIETSALMI et al further discloses that the display message is a PTMP display message (page 5 line 25 to page 6 line 5).

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

4. Claim 9 is rejected under 35 U.S.C. 103(a) as being unpatentable over LIETSALMI et al (WO 98/10604 A1) in view of FORD (GB 2327567 A).

Regarding claim 9, see the rejection of the parent claim concerning the subject matter this claim depends from. However, LIETSALMI et al doesn't discloses that the cellular broadcasting service consists of a substantially continuous stream of PTMP

display messages for streaming display on a particular personal cellular telecommunications device. FORD discloses a cellular broadcasting service consists of a substantially continuous stream of PTMP display messages for streaming display on a particular personal cellular telecommunications device (page 1 line 11 to page 3 line 17). Therefore it would have been obvious to a person of ordinary skill in the art at the time the invention was made for the stream of PTMP display messages to be displayed on a particular personal cellular telecommunications device. Limited access of PTMP display messages allows selection on a per user basis of the type of information a user is able to access, thus allowing a subscription to be individually tailored.

5. Claims 10 and 51 is rejected under 35 U.S.C. 103(a) as being unpatentable over LIETSALMI et al (WO 98/10604 A1) in view of RAITH (US 6,385,461 B1).

Regarding claim 10, see the rejection of the parent claim concerning the subject matter this claim depends from. However, LIETSALMI et al does not disclose that the cellular broadcasting service consists of a substantially continuous stream of PTP display messages for streaming display on a plurality of personal cellular telecommunications devices. RAITH discloses cellular broadcasting service consists of a substantially continuous stream of PTP display messages for streaming display on a plurality of personal cellular telecommunications devices (column 2 lines 36-44). Therefore it would have been obvious to a person of ordinary skill in the art at the time the invention was made for the stream of PTP display messages for streaming display on a plurality of personal cellular telecommunications devices. This allows devices that are unable to operate on a broadcast SMS channel to be able to receive group SMS

messages. Further, using a PTP delivery means provides a way to convey group messages when the broadcast SMS channels are either overloaded or inoperative.

Regarding claim 51, see the rejection of the parent claim concerning the subject matter this claim depends from. However, LIETSALMI et al does not disclose that the display message is a PTP display message. RAITH discloses cellular broadcasting service consists of a substantially continuous stream of PTP display messages for streaming display on a plurality of personal cellular telecommunications devices (column 2 lines 36-44). Therefore it would have been obvious to a person of ordinary skill in the art at the time the invention was made for the stream of PTP display messages for streaming display on a plurality of personal cellular telecommunications devices. This allows devices that are unable to operate on a broadcast SMS channel to be able to receive group SMS messages. Further, using a PTP delivery means provides a way to convey group messages when the broadcast SMS channels are either overloaded or inoperative.

6. Claim 12 is rejected under 35 U.S.C. 103(a) as being unpatentable over LIETSALMI et al (WO 98/10604 A1) in view of GABOU et al (US 6,583,714 B1).

Regarding claim 12, see the rejection of the parent claim concerning the subject matter this claim depends from. LIETSALMI et al further discloses that the cellular telecommunications network is a GSM network (see page 10 lines 1-9). However, LIETSALMI et al does not explicitly disclose that the display messages are of the SMS Class 2 type. GABOU et al discloses that messages could be of a plurality of types, including type 2 (column 4 lines 41-44). Therefore it would have been obvious to a

person of ordinary skill in the art at the time the invention was made for the SMS message to be of type 2. Using type 2 allows the SMS message to be displayed on the mobile device automatically.

7. Claim 15, 16, 18-26 are rejected under 35 U.S.C. 103(a) as being unpatentable over LIETSALMI et al (WO 98/10604 A1) in view of TAUBENHEIM et al (US 6,060,997 A) and DE BOOR et al (US 6,173,316 B1).

Regarding claims 15 and 24-26, LIETSALMI et al discloses a cellular telecommunications network including a plurality of individually addressable Base Transceiver Stations (BTSS) providing bi-directional signal coverage over a predefined geographical area, and capable of transmitting mostly different content, at least some interactive display messages where each interactive display message enables a subscriber to automatically activate a point-to-point transmission response mechanism integrally provided in a display message by a dedicated response means associated therewith, a method for operating a personal cellular telecommunications device having at least one dynamic storage buffer, and a subscriber interface including a display screen (page 2 line 9 to page 3 line 6, page 4 lines 27-32, page 5 line 25 to page 6 line 5, page 6 lines 21-26, page 7 lines 1-5, page 11 lines 14-37, page 12 lines 19-25, page 13 line 10 to page 14 line 10 and page 15 line 6 to page 16 line 16). However, LIETSALMI et al does not explicitly disclose (a) temporarily storing display messages in a dynamic storage buffer ready for display on the display screen; (b) instead of displaying an idle screen on the display screen, automatically streaming display messages from the dynamic storage buffer on the display screen but interrupting their

display to display a non-idle activity specific screen, if invoked; and (c) automatically discarding display messages from the dynamic storage buffer in accordance with a display message discard scheme irrespective of their having been displayed on the display screen or not. TAUBENHEIM et al discloses (a) temporarily storing display messages in a dynamic storage buffer ready for display on the display screen; (b) instead of displaying an idle screen on the display screen, manually setting a mode for streaming display messages from the dynamic storage buffer on the display screen; and (c) automatically discarding display messages from the dynamic storage buffer in accordance with a display message discard scheme irrespective of their having been displayed on the display screen or not (column 9 line 37 to column 12 line 21). TAUBENHEIM et al's display message discard scheme discard the message from memory after a time the message would have finished being displayed, regardless of it actually being displayed or not (see column 11 lines 33-51). As such TAUBENHEIM et al fails to teach automatically displaying the stream when in a idle mode and interrupting their display to display a non-idle activity specific screen, if invoked. DE BOOR et al, which discloses displaying advertisements on a mobile device when in an idle state (column 13 lines 45-51 and column 36 line 55 to column 37 line 28). Therefore it would have been obvious to a person of ordinary skill in the art at the time the invention was made to combine the teachings of LIETSALMI et al, TAUBENHEIM et al and DE BOOR et al. TAUBENHEIM et al enhances the teaching of LIETSALMI et al by providing a way of handling the display of the received messages. It is particularly beneficial in that it allows for a reduced amount of memory, thus reducing the cost of the portable device.

DE BOOR et al enhances the combination by replacing LIETSALMI et al's manual selection of streaming mode with an automatic selection. This is beneficial in that it makes the device easier to use for the user.

Regarding claim 16, see the rejection of the parent claim concerning the subject matter this claim depends from. TAUBENHEIM et al further discloses that the display message discard scheme automatically discards the displayed display messages from the dynamic storage buffer on a First In First Out basis (column 9 line 37 to column 12 line 21).

Regarding claim 18, see the rejection of the parent claim concerning the subject matter this claim depends from. TAUBENHEIM et al further discloses that the display message discard scheme automatically discards an out-of-date display message prior to its display if it satisfies the condition that Tclock-Treceive<Tdiscard where Tclock is the clock time of the personal cellular telecommunications device, Treceive is the time of receipt of the display message at the personal cellular telecommunications device, and Tdiscard is a predetermined time interval (column 9 line 37 to column 12 line 21).

Regarding claim 19, see the rejection of the parent claim concerning the subject matter this claim depends from. TAUBENHEIM et al further discloses that the display message discard scheme automatically discards displayed display messages from the dynamic storage buffer (column 9 line 37 to column 12 line 21).

Regarding claim 20, see the rejection of the parent claim concerning the subject matter this claim depends from. TAUBENHEIM et al further disclose that a PTP display

message ready for display is displayed on the display screen in preference to a PTMP display message ready for display (column 9 line 37 to column 12 line 21).

Regarding claim 21, see the rejection of the parent claim concerning the subject matter this claim depends from. TAUBENHEIM et al further disclose that the entire handling of a display message from its receipt through to its being automatically discarded is a completely silent process irrespective of whether the display message was displayed on the display screen or not (column 9 line 37 to column 12 line 21).

Regarding claim 22, see the rejection of the parent claim concerning the subject matter this claim depends from. LIETSALMI et al further discloses that a display message enables a subscriber to automatically activate one of at least two point-to-point transmission response mechanisms from the list of: a voice call; an SMS; a data session; e-mail; and a facsimile transmission where each response mechanism is integrally provided in a display message and actuable by a dedicated response means: associated therewith (page 11 lines 14-37, page 12 lines 19-25, page 13 line 10 to page 14 line 10 and page 15 line 6 to page 16 line 16).

Regarding claim 23, see the rejection of the parent claim concerning the subject matter this claim depends from. LIETSALMI et al further discloses that the at least two point-to-point transmission response mechanisms are displayed on the display screen in response to subscriber activation of a dedicated response means integrally provided in the display message (page 15 line 21 to page 16 line 16). LIETSALMI et al teaches that a single message includes "one or more" service offerings. Thus, when more than

one service option is displayed with is corresponding response mechanisms there is will more than one response mechanisms displayed.

8. Claim 17 is rejected under 35 U.S.C. 103(a) as being unpatentable over LIETSALMI et al (WO 98/10604 A1) in view of TAUBENHEIM et al (US 6,060,997 A) and DE BOOR et al (US 6,173,316 B1) and further in view of an examiner's official notice.

Regarding claim 17, see the rejection of the parent claim concerning the subject matter this claim depends from. However, TAUBENHEIM et al doesn't disclose that the display message discard scheme automatically discards a display message immediately prior to its display if it is incomplete. Nevertheless the examiner takes official notice that it was known in the art at the time of the invention to discard messages that are incomplete. Therefore it would have been obvious to a person of ordinary skill in the art at the time the invention was made to discard messages that arrive incomplete. Discarding incomplete messages prevents wasted use of memory.

9. Claim 27, 28 and 30-38are rejected under 35 U.S.C. 103(a) as being unpatentable over LIETSALMI et al (WO 98/10604 A1) in view of TAUBENHEIM et al (US 6,060,997 A), LEE (US 6,230,019 B1) and HUBBE et al (US 6,341,228).

Regarding claims 27 and 36-38, LIETSALMI et al discloses a cellular telecommunications network including a plurality of individually addressable Base Transceiver Stations (BTSS) providing bi-directional signal coverage over a predefined geographical area, and each capable of transmitting mostly different content, at least some interactive display messages where each interactive display message enables a

subscriber to automatically activate a response mechanism integrally provided in a display message and actuable by a dedicated response means associated therewith, a method for operating a personal cellular telecommunications device including (c) provisioning on the subscriber interface a dedicated response means selectively actuable by the subscriber for actuating a response mechanism integrally formed with a display message (page 2 line 9 to page 3 line 6, page 4 lines 27-32, page 5 line 25 to page 6 line 5, page 6 lines 21-26, page 7 lines 1-5, page 11 lines 14-37, page 12 lines 19-25, page 13 line 10 to page 14 line 10 and page 15 line 6 to page 16 line 16). However, LIETSALMI et al does not disclose (a) temporarily storing display messages in a dynamic storage buffer ready for display on the second portion of the display screen; (b) normally displaying an idle screen on the first portion of the display screen; and automatically streaming display messages from the dynamic storage buffer on the second portion of the display screen; (d) displaying a non-idle activity specific screen on at least the first portion of the display screen, if invoked; and (e) automatically discarding display messages from the dynamic storage buffer in accordance with a display message discard scheme irrespective of their having been displayed on the display screen or not. TAUBENHEIM et al discloses (a) temporarily storing display messages in a dynamic storage buffer ready for display on the second portion of the display screen and (e) automatically discarding display messages from the dynamic storage buffer in accordance with a display message discard scheme irrespective of their having been displayed on the display screen or not (column 9 line 37 to column 12 line 21). TAUBENHEIM et al's display message discard scheme discard the message

from memory after a time the message would have finished being displayed, regardless of it actually being displayed or not (see column 11 lines 33-51). As such, TAUBENHEIM et al does not disclose (b) normally displaying an idle screen on the first portion of the display screen; and automatically streaming display messages from the dynamic storage buffer on the second portion of the display screen (d) displaying a non-idle activity specific screen on at least the first portion of the display screen, if invoked. LEE discloses normally displaying an idle screen on the first portion of the display screen displaying a non-idle activity specific screen on at least the first portion of the display screen, if invoked (see figures 2A and 2B). HUBBE et al discloses having certain functions displayed in a first display and other functions displayed on a second display (column 1 line 40 to column 4 line 20). Therefore it would have been obvious to a person of ordinary skill in the art at the time the invention was made to combine the teachings of LIETSALMI et al, TAUBENHEIM et al, LEE and HUBBE et al. TAUBENHEIM et al enhances the teaching of LIETSALMI et al by providing a way of handling the display of the received messages. It is particularly beneficial in that it allows for a reduced amount of memory, thus reducing the cost of the portable device. LEE enhances the combination by having and idle screen and an active screen. This allows a user to differentiate an idle period to a period when a message is received. HUBBE et al enhances the teaching by simultaneously allowing for viewing of multiple functions, thus increasing its usefulness.

Regarding claim 28, see the rejection of the parent claim concerning the subject matter this claim depends from. TAUBENHEIM et al further discloses that the display

message discard scheme automatically discards the displayed display messages from the dynamic storage buffer on a First In First Out basis (column 9 line 37 to column 12 line 21).

Regarding claim 30, see the rejection of the parent claim concerning the subject matter this claim depends from. TAUBENHEIM et al further discloses that the display message discard scheme automatically discards an out-of-date display message prior to its display if it satisfies the condition that Tclock-Treceive<Tdiscard where Tclock is the clock time of the personal cellular telecommunications device, Treceive is the time of receipt of the display message at the personal cellular telecommunications device, and Tdiscard is a predetermined time interval (column 9 line 37 to column 12 line 21).

Regarding claim 31, see the rejection of the parent claim concerning the subject matter this claim depends from. TAUBENHEIM et al further discloses that the display message discard scheme automatically discards displayed display messages from the dynamic storage buffer (column 9 line 37 to column 12 line 21).

Regarding claim 32, see the rejection of the parent claim concerning the subject matter this claim depends from. TAUBENHEIM et al further disclose that a PTP display message ready for display is displayed on the display screen in preference to a PTMP display message ready for display (column 9 line 37 to column 12 line 21).

Regarding claim 33, see the rejection of the parent claim concerning the subject matter this claim depends from. TAUBENHEIM et al further disclose that the entire handling of a display message from its receipt through to its being automatically

discarded is a completely silent process irrespective of whether the display message was displayed on the display screen or not (column 9 line 37 to column 12 line 21).

Regarding claim 34, see the rejection of the parent claim concerning the subject matter this claim depends from. LIETSALMI et al further discloses that a display message enables a subscriber to automatically activate one of at least two point-to-point transmission response mechanisms from the list of: a voice call; an SMS; a data session; e-mail; and a facsimile transmission where each response mechanism is integrally provided in a display message and actuable by a dedicated response means: associated therewith (page 11 lines 14-37, page 12 lines 19-25, page 13 line 10 to page 14 line 10 and page 15 line 6 to page 16 line 16).

Regarding claim 35, see the rejection of the parent claim concerning the subject matter this claim depends from. LIETSALMI et al further discloses that the at least two point-to-point transmission response mechanisms are displayed on the display screen in response to subscriber activation of a dedicated response means integrally provided in the display message (page 15 line 21 to page 16 line 16). LIETSALMI et al teaches that a single message includes "one or more" service offerings. Thus, when more than one service option is displayed with is corresponding response mechanisms there is will more than one response mechanisms displayed.

10. Claim 29 is rejected under 35 U.S.C. 103(a) as being unpatentable over LIETSALMI et al (WO 98/10604 A1) in view of TAUBENHEIM et al (US 6,060,997 A), LEE (US 6,230,019 B1) and HUBBE et al (US 6,341,228) and further in view of an examiner's official notice.

Regarding claim 29, see the rejection of the parent claim concerning the subject matter this claim depends from. However, the prior art cited in the rejection of the parent claim doesn't disclose that the display message discard scheme automatically discards a display message immediately prior to its display if it is incomplete. Nevertheless the examiner takes official notice that it was known in the art at the time of the invention to discard messages that are incomplete. Therefore it would have been obvious to a person of ordinary skill in the art at the time the invention was made to discard messages that arrive incomplete. Discarding incomplete messages prevents wasted use of memory.

11. Claims 39-47 are rejected under 35 U.S.C. 103(a) as being unpatentable over LIETSALMI et al (WO 98/10604 A1) in view of TAUBENHEIM et al (US 6,060,997 A) and HUBBE et al (US 6,341,228).

Regarding claim 39 and 45-47, LIETSALMI et al discloses a cellular telecommunications network including a plurality of individually addressable Base Transceiver Stations (BTSS) providing bi-directional signal coverage over a predefined geographical area, and capable of transmitting mostly different content, at least some interactive display messages where each interactive display message enables a subscriber to automatically activate a response mechanism integrally provided in a display message and actuable by a dedicated response means (page 2 line 9 to page 3 line 6, page 4 lines 27-32, page 5 line 25 to page 6 line 5, page 6 lines 21-26, page 7 lines 1-5, page 11 lines 14-37, page 12 lines 19-25, page 13 line 10 to page 14 line 10 and page 15 line 6 to page 16 line 16). However, LIETSALMI et al does not disclose a

method for operating a personal cellular telecommunications device having at least one dynamic storage buffer, and a subscriber interface including a split screen display screen including at least two portions, the method comprising the steps of: (a) temporarily storing display messages in a dynamic storage buffer ready for display on the second portion of the display screen; (b) permanently streaming display massages from the dynamic storage buffer on at least one portion of the display screen; and (c) automatically discarding display messages from the dynamic storage buffer in accordance with a display message discard scheme irrespective of their having been displayed on the display screen or not. TAUBENHEIM et al discloses a personal cellular telecommunications device having at least one dynamic storage buffer; (a) temporarily storing display messages in a dynamic storage buffer ready for display on the the display screen; (b) permanently streaming display massages from the dynamic storage buffer on at least one portion of the display screen; and (c) automatically discarding display messages from the dynamic storage buffer in accordance with a display message discard scheme irrespective of their having been displayed on the display screen or not not (column 9 line 37 to column 12 line 21). TAUBENHEIM et al's display message discard scheme discard the message from memory after a time the message would have finished being displayed, regardless of it actually being displayed or not (see column 11 lines 33-51). As such, TAUBENHEIM et al does not disclose a subscriber interface including a split screen display screen including at least two portions with the stream being on one of the portions. HUBBE et al discloses having certain functions displayed in a first display and other functions displayed on a second

display (column 1 line 40 to column 4 line 20). Therefore it would have been obvious to a person of ordinary skill in the art at the time the invention was made to combine the teachings of LIETSALMI et al, TAUBENHEIM et al, and HUBBE et al. TAUBENHEIM et al enhances the teaching of LIETSALMI et al by providing a way of handling the display of the received messages. It is particularly beneficial in that it allows for a reduced amount of memory, thus reducing the cost of the portable device. HUBBE et al enhances the teaching by simultaneously allowing for viewing of multiple functions, thus increasing its usefulness.

Regarding claim 40, see the rejection of the parent claim concerning the subject matter this claim depends from. HUBBE et al's teaching includes that the display messages are only displayed on one portion of the display screen (column 1 lines 40-65).

Regarding claim 41, see the rejection of the parent claim concerning the subject matter this claim depends from. HUBBE et al's teaching includes that the display messages are either displayed on one portion of the display screen or the entire display screen. (column 1 lines 40-65).

Regarding claim 42, see the rejection of the parent claim concerning the subject matter this claim depends from. TAUBENHEIM et al further disclose that a PTP display message ready for display is displayed on the display screen in preference to a PTMP display message ready for display (column 9 line 37 to column 12 line 21).

Regarding claim 43, see the rejection of the parent claim concerning the subject matter this claim depends from. LIETSALMI et al further discloses that a display

message enables a subscriber to automatically activate one of at least two point-to-point transmission response mechanisms from the list of: a voice call; an SMS; a data session; e-mail; and a facsimile transmission where each response mechanism is integrally provided in a display message and actuable by a dedicated response means: associated therewith (page 11 lines 14-37, page 12 lines 19-25, page 13 line 10 to page 14 line 10 and page 15 line 6 to page 16 line 16).

Regarding claim 44, see the rejection of the parent claim concerning the subject matter this claim depends from. LIETSALMI et al further discloses that the at least two point-to-point transmission response mechanisms are displayed on the display screen in response to subscriber activation of a dedicated response means integrally provided in the display message (page 15 line 21 to page 16 line 16). LIETSALMI et al teaches that a single message includes "one or more" service offerings. Thus, when more than one service option is displayed with is corresponding response mechanisms there is will more than one response mechanisms displayed.

Allowable Subject Matter

12. Claims 4 and 5 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

13. Claims 52-55 are allowed.

14. The following is a statement of reasons for the indication of allowable subject matter:

Regarding claim 4, the applicant includes the subject matter of transmitting a staggered sequence of display messages advertising an item in progressively smaller geographical areas centered around a predetermined location. This subject matter, when considered with the additional subject matter associated with the claim, comprises a unique combination of subject matter that is neither taught nor suggested by the prior art.

Claim 52, at the least, comprise the allowable subject matter contained in claim 4 and therefore allowed for the same reasons.

Conclusion

15. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

DELUCA et al (US 5,870,030 A)

BOMZE et al (US 2003/0181201 A1)

ROBINSON et al (US 5,926,104 A)

ELDERING (US 6,615,039 B1)

SEPPANEN et al (US 5,692,032 A)

SCHULTZ (US 6,018,522 A)

YAMANE et al (US 5,701,580 A)

JASINSKI (US 5,555,446 A)

YONEMOTO et al (US 6,298,239 B1)

KAGAN et al (US 2004/0127199 A1)

GIL et al (US 2004/0078427 A1)

DANIEL et al (US 2004/0157628 A1)

GRUBE et al (US 5,553,314 A)

FURUYA (US 6,628,936 B1)

SVENSSON (US 5,687,216 A)

16. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Raymond B. Persino whose telephone number is (703) 308-7528. The examiner can normally be reached on Monday-Thursday from 8:00 AM to 5:30 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Vivian C. Chin can be reached on (703) 308-6739. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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Raymond B. Persino RP
Examiner
Art Unit 2682

RP

LEE NGUYEN
PRIMARY EXAMINER